

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CIVIL CASE NO. 1:10cv237

ANTHONY M. EDGERTON, SR.,)	
)	
Plaintiff,)	
)	
vs.)	<u>O R D E R</u>
)	
CHARLES GEORGE, VAMC-)	
ASHEVILLE and UNITED)	
STATES OF AMERICA,)	
)	
Defendants.)	
)	

THIS MATTER is before the Court on the United States' Motion to Dismiss [Doc. 6].

Pursuant to 28 U.S.C. § 636(b) and the Standing Orders of Designation of this Court, United States Magistrate Judge Dennis L. Howell was designated to consider this Motion and to submit recommendations for its disposition.

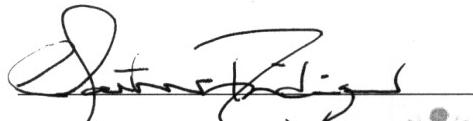
On February 4, 2011, the Magistrate Judge filed an Amended Memorandum and Recommendation [Doc. 12] in which he recommended

granting the motion to dismiss and dismissing this action. The parties were advised that any objections to the Magistrate Judge's conclusions and recommendations were to be filed in writing within fourteen days of service of the Recommendation and that failure to file objections to the Memorandum and Recommendation would preclude the parties from raising any objection on appeal. [Id., at 14]. The period within which to file objections expired on February 22, 2011 and no written objections to the Memorandum and Recommendation have been filed.

The Court concludes that the Magistrate Judge's recommendation is supported by the record and the law. Accordingly, the Court hereby accepts the Magistrate Judge's Recommendation.

IT IS, THEREFORE, ORDERED that the United States' Motion to Dismiss [Doc. 6] is hereby **GRANTED** and this action is **DISMISSED**.

Signed: February 25, 2011



Martin Reidinger
United States District Judge

